

**2.5 LPL'S PROPOSED CURATIVE INSTRUCTION ON CALIFORNIA CASES**

You have occasionally heard reference during this trial to a case between these same parties that is presently pending in California.

LPL previously brought a lawsuit in California against the Defendants on six patents. That lawsuit was filed in August 2002 and it is still pending. All six of the patents in the California case are scheduled to go to trial later this year. Apart from the foregoing, you should disregard any other testimony you have heard regarding this California case. You should not consider the California case and those other patents should not be considered in deciding the issues of infringement or validity in this case.